

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
DOREEN GREENWOOD,

Plaintiff,

-against-

**PLAINTIFF'S RULE 56.1  
STATEMENT**

CITY OF NEW YORK; NEW YORK CITY  
DEPARTMENT OF PARKS AND RECREATION;  
ADRIAN BENEPE, as Commissioner of the NEW  
YORK CITY DEPARTMENT OF PARKS AND  
RECREATION; JOSEPH TRIMBLE, as Director of  
Timekeeping, Payroll, Benefits, and Labor Relations,  
of the NEW YORK CITY DEPARTMENT OF PARKS  
AND RECREATION; RAYMOND KELLY, as  
Commissioner of the NEW YORK POLICE  
DEPARTMENT; and ANDREW LUNETTA, as  
Commanding Officer of the License Division of the  
NEW YORK POLICE DEPARTMENT,

08 Civ. 4474 (GBD)

Defendants.  
-----X

Pursuant to Local Civil Rule 56.1 of the United States District Court for the Southern District of New York, plaintiff Doreen Greenwood ("Greenwood"), contends there is no genuine issue to be tried as to the following material facts:

1. Defendant City of New York ("City") hired Greenwood on or about June 28, 2000, as an Urban Park Ranger. Answer of Trimble and Lunetta ("Answer") ¶ 3.
2. The City appointed Greenwood to the position of Associate Urban Park Ranger ("AUPR") on May 9, 2005. Answer ¶ 3.

3. Under the New York Civil Service Law, AUPR is classified as a “competitive” position. Declaration of Stuart Lichten (“Lichten Dec.”), Exhibit D.

4. The City appointed Greenwood to a “permanent,” as opposed to “provisional” or “temporary,” AUPR position. Declaration of Doreen Greenwood (“Greenwood Dec.”) ¶ 5.

5. Greenwood completed a one-year probationary period in May 2006. Greenwood Dec., at ¶ 6.

6. Defendant New York City Department of Parks and Recreation (“DPR”) is an agency of the City. Answer ¶ 4.

7. Defendant Adrian Benepe is Commissioner of DPR. Answer ¶ 4.

8. Defendant Joseph Trimble is Director of Labor Relations, Payroll, Timekeeping and Benefits of DPR. Answer ¶ 4.

9. Defendant Raymond Kelly is Commissioner of the New York City Police Department (“NYPD”). Answer ¶ 5.

10. Defendant Andrew Lunetta is Commanding Officer of the NYPD Licensing Division. Answer ¶ 5.

11. In or about 2000, Greenwood successfully applied to the City for appointment as a Special Patrolman.

12. In a letter to Greenwood from Lunetta dated April 21, 2008, the City advised Greenwood that her appointment as a Special Patrolman was suspended pending an investigation. The letter did not advise Greenwood of the reason for the suspension. Lichten Dec., Exhibit A.

13. The City did not afford Greenwood notice or a hearing prior to the suspension, and has not since afforded her any hearing.

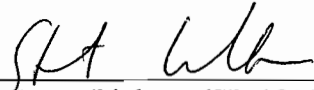
14. In a letter to Greenwood from Trimble dated April 24, 2008, the City advised Greenwood that her employment would be terminated effective April 25, 2008, because her "Special Patrolman deputization has been suspended as of April 21, 2008." Lichten Dec., Exhibit B.

15. As an AUPR, Greenwood was covered by a collective bargaining agreement between the City and District Council 37, American Federation of State, County, and Municipal Employees, AFL-CIO, known as the Blue Collar Agreement. Pursuant to Article VI, Sections 1(e) and 5, of that agreement, permanent competitive-class employees are entitled to a pre-termination hearing before being disciplined. Lichten Dec., Exhibit C.

16. The City has not served Greenwood with disciplinary charges or afforded her a disciplinary hearing.

Dated: New York, New York  
September 4, 2008

SCHWARTZ, LICHTEN & BRIGHT, P.C.

By:   
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